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ABSTRACT

This speech describes one superintendent's attempt to resolve a community disagreement concerning Christmas concerts held at Manhasset, New York, elementary schools the previous December. The newly appointed superintendent formed a nine-member, blue-ribbon task force, headed by a liberal Catholic, to study existing school district policies and regulations, compare them with existing practice, and formulate appropriate changes. The task force was composed of Catholics, Protestants, Jews, and other religious minorities in roughly the proportion reflected in the community. The task force met frequently; interviewed dozens of staff, students, and community residents; issued a survey; consulted law books; and became familiar with Supreme Court and state rulings on the issue. The group then issued a compromise policy, subsequently approved by the board of education, recommending that the joyous, festive nature of the Christmas/Chanukah season be preserved as much as possible. The policy recognizes the pluralistic nature of American religious beliefs from Colonial times to present and affirms the separation of church and state. The legal ramifications are further explained, followed by an interpretation of the law as applied to school district practice. To enhance educational experience for all students, the district will use the opportunity afforded by major holidays to foster understanding and mutual respect regarding race, culture, economic background, and religious beliefs or nonbeliefs. Policies governing recognition of lesser known holidays need to be worked out. Specific recommendations concerning music, decorations, and activities are outlined, and a historical context for the Manhasset conflict is provided. (MLH)

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SPEECH GIVEN BY DONALD E. HARKNESS, (SUPT. OF SCHOOLS, MANHASSET PUBLIC SCHOOLS, 200 MEMORIAL PLACE, MANHASSET, N.Y., 11030,) ON FEBRUARY 13, 1989, AT THE NATIONAL COUNCIL OF RELIGION IN PUBLIC EDUCATION'S CONFERENCE, HELD AT THE ETHICAL CULTURE SOCIETY BUILDING, 2 WEST 64 STREET, N.Y.C.

RELIGIOUS HOLIDAYS AND THE PUBLIC SCHOOLS

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RELIGIOUS HOLIDAYS AND THE PUBLIC SCHOOLS

I'm delighted to be here for many reasons, not least of which is that fifty years ago this spring I stood upon this stage downstairs and played the part, absurd, now that I think of it, of Puck in "Midsummer Night's Dream" at the annual school festival in which everyone participated, even if it was only as a tree or a bush. That was a wonderful tradition! Why absurd, well, for one thing I towered over King Oberon, not to mention Theseus, Duke of Athens. I remember at the time thinking how silly it was for Puck to say as he departs to fetch a special "love in idleness" herb for Oberon: "I'll put a girdle round about the earth in forty minutes." Nowadays our space exploring craft can meet that timetable and even better it.

More germane to our discussion today, however, is the legacy left by the founders and spiritual leaders of the Ethical Culture Movement - men like Felix Adler, John Lovejoy Elliott, and Algernon Black. If the spirit of tolerance, understanding and love of one's fellow man that inspired them and this school were alive everywhere in the world, there would be little need for the discussion which follows. Unhappily, that is not the case.

The issue that I've been asked to address is "Religious Holidays and the Public Schools." It's not my favorite subject, but I do have intimate knowledge of the problems and perils that occur when those two institutions - religious holidays and public schools - are coupled.

But first, a word or two about Manhasset. Manhasset is a small suburb of five square miles, 18,000 residents and 2100 students, K-12, in three schools - two elementary K-6, and one Jr.-Sr. High School 7-12, situated on the North Shore of Long Island, approximately 17 miles from New York City - favored, we like to think, by geography, lovely homes, and an enviable tax base, occasioned by a Miracle Mile featuring suburban branches of prominent New York City department stores - the first, incidentally, in the Metropolitan area. The Miracle Mile is no longer much of a miracle, but it's still a mile. Other reasons for our favored status are: 1) the high cost of family residences, and 2) ratio of parochial and private school children to public school children. Approximately 30% of the community send their children to the very fine parochial school in town - St. Mary's elementary and St. Mary's Boys' High and Girls' High and to a number of nearby private schools, thereby making it possible for the District to enjoy one of the lowest tax rates on

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the Island while benefiting from relatively high per pupil expenditures. It's an old community, as Long Island communities go, full of churches and synagogues nearby; not least of the reasons why housing is sky high is the reputation of the public school district - long considered a lighthouse by educators and a much sought-after school community by parents. With uniformly high SAT's and Ivy League acceptance rates, over 92% of our graduates go on to college, even though 8% are black and economically disadvantaged and 4% - and rapidly growing - are foreign-born students, many from Japan, China, Korea, India, Iran, and South America. This latter group is invariably highly advantaged, especially those from the Orient. But enough on background. I'll fill in the religious statistics as I go along.

Now, permit me the luxury of a few preliminary observations. Let me begin by bringing to mind several musings that occurred to me this morning as I was jotting down some notes, the relevance of which, I trust, will occur to you as I proceed. I would, of course, give much to be able to say that some of these observations do not apply, but that, unfortunately, is not the world we live in, however "kinder and gentler" we hope it will become. And let me say, parenthetically, that Manhasset is perhaps the most civil, gracious and benevolent community it's been my pleasure to serve. So, please do not think for a moment that I am criticizing either the schools or the community. What I am about to tell you is simply symptomatic of the furor that religious issues arouse anywhere, even in a highly civilized community like Manhasset. It may or may not be significant that Scarsdale experienced many of the same traumas that very year, while my friend and colleague, Tom Sobol, was Superintendent.

My thoughts are these: First, a characteristically wry and sardonic but unhappily apt observation made by Jonathan Swift in 1709:

II

RELIGIOUS OBSERVANCES IN THE SCHOOLS

1) Jonathan Swift: We have just enough religion to make us hate and not enough to make us love.

2) Gerum, by Edward Rutherfurd. In a chapter dealing with Elizabeth I, he refers to the compromise accommodation that Elizabeth, unlike her fiercely religious sister Mary, used as a basis for religious survival, at a time of enormous religious fear. The country had flip-flopped twice before her ascension - her father, Henry VIII, had broken with the Catholic church out of personal pique because the Pop would not annul his marriage to the Catholic Catherine, but the service that he enforced remained Catholic in everything except name. Then came the short-lived reign of his son, Edward, who reinforced a more rigorous Protestant orthodoxy, only to be followed by Mary Tudor's return

to Catholicism and her execution of Protestants. At her death, the policy was once again reversed by Elizabeth I, who was not only fed up with the horrors of religious strife but also shrewd enough to realize that religious orthodoxy of any sort was political folly.

Not religious herself, she adopted a policy of religious compromise. Copying her father, Elizabeth named herself Supreme Governor of the Church. Cranmer's prayer book was restored with a few changes. All people were obliged to attend church. Office holders were required to swear the oath of supremacy to Elizabeth. The service was said in English; all this was Protestant, but moderate. The Catholics liked the English services which were arranged so that there was little to offend them anyway.

"For the rest," as Rutherfurd indicates, "there must be no disorder"; the enforcing of the oaths could be as lax as they pleased. As for what most believed in their hearts - that was their business. Elizabeth knew the fear of persecution. She would, she said, make no window into men's souls. Let them believe what they liked; as long as they went to her church or paid a small fine. Up and down the country, while strict Catholics or strict Puritans denounced the changes, the overwhelming majority heaved a great sigh of relief. The settlement was imperfect and flawed by doctrinal inconsistency but absolutely sensible.

3) Edward Markham's: "He drew a circle that shut me out; Heretic, rebel, a thing to flout. But love and I had the wit to win. We drew a circle that took him in!"

BRIEF HISTORY OF OUR COMMUNITY'S TRAUMA

The above quotations may serve as a backdrop of sorts to the uproar that occurred in December of 1984 following the Christmas/Chanukah holiday concerts which were given in all schools - elementary and secondary - of the Manhasset Public Schools where I happen to be Superintendent. I was not Superintendent at that time.

In 1984 the community was divided roughly into the following religious components: 60% Catholic, 32% Protestant and about 8% Jewish and other. This proportion is striking when compared with what was the case 30 years earlier when I first appeared on the scene as a classroom teacher. At that time the community was roughly 60% Protestant and 40% Catholic, and there were no Jews. The Jewish communities were situated on either side of us with substantial populations in Great Neck, Roslyn and Herricks.

To return to the crisis: In January 1985 upwards of 400 angry Christians and a few Jewish residents packed into the high school

cafeteria to protest to the Board in forceful, sometimes violent language, that they felt that the elementary school Christmas concerts which had taken place the previous December were too bland, unfestive and unchristian and since this was a Christian community, they felt that the majority voice should prevail. The few Jewish residents who were present remained silent throughout the entire meeting, which lasted several hours.

At that time the Board, for reasons having nothing to do with this, dismissed its previous superintendent and appointed me. My first action was to recommend the appointment of a top-level,blue-ribbon committee, which we called a Task Force, headed by a prominent liberal Catholic, to study the existing school district policies and regulations, compare them with existing practice, and formulate whatever changes in policy and regulation they deemed appropriate. The Task Force of nine prominent residents was composed of Catholics, Protestants, Jews and other religious minorities in roughly the proportion reflected in the community. I gave them a three-month time-table and unlimited access to staff, administrators, students and any community residents they could talk into giving them testimony as to what had happened to give rise to this level of indignation and what their views might be on the celebration of religious observances in the schools. As an aside, I must confess that we completely forgot to obtain representation from the fairly large local Greek population, and by late spring I had received a telephone call from the leader of the local Greek community to protest the Board's failure to appoint a Greek to the committee. We encouraged them to testify to the Task Force and/or provide written testimony.

The Task Force met frequently, interviewed dozens of people, issued a survey, consulted law books, and became thoroughly conversant with the Supreme Court and State rulings on the issue. Their recommendation in April, which the Board approved with minor modifications, is a policy statement entitled: "Recognition of Religious Beliefs and Customs at Holiday Seasons."

You will note immediately that this is a compromise policy. The Task Force and, subsequently, the Board of Education, adopted the view that the joyous, festive nature of the season should be preserved as much as possible. A close reading will reveal that the Supreme Court guidelines frequently referred to as the "Lemon case" (Lemon v. Kurtemann 1971), provide the central legal underpinnings of the policy. I would like to point out furthermore that the guidelines developed were drafted to apply to all religious holy days, each of which should be recognized appropriately and respected but should not be treated in such a way as to instill belief or devotion. Nevertheless, it's safe to say that the issue in Manhasset, at least, is restricted to the Christmas/Chanukah season because there are no other observances in the schools on other holy days - Easter and Passover, for example.

The policy recognizes clearly the pluralistic nature of the religious beliefs of Americans from colonial days to the present. By the way, for those people who, like me, have not committed to memory all Supreme Court decisions, the Lemon v. Kurtemann case, which is so often cited in instances like this one, refers to a "3 prong test" for determining constitutionality of any governmental activities involving religion under the so-called Establishment Clause, as follows:

1) The activity must have a secular purpose.

2) Its principal or primary effect must be one that neither advances nor prohibits religion.

3) The activity must not foster an excessive government entanglement with religion.

In order to determine whether an activity has a secular purpose, the courts are instructed to examine the issue of intent as evidenced by surrounding facts and circumstances before deciding whether a secular purpose is present.

The mere fact of government involvement in an activity of unquestionable religious origin does not violate the Establishment Clause if its present purpose is secular. As determined by the Florey case (Florey v. Sioux Falls School District [1971], which was a landmark decision, even where the rules permitted limited religious holiday observance in the form of symbols and services in the schools, it was the motive of the district in adopting policies and rules found to be pro-secular that caused the court to find a "proper purpose."

The upshot of all of this, as determined by our legal advisors and those of other school districts, is that it becomes fairly clear that holidays "maybe observed by schools only if they are not exclusively religious, that is, if the holiday includes a secular significance." Displays or performances of art works, literature and music should also be confined to that which has become integrated culturally and which is not purely religious, that is, which has meaning independent of religion. Objective presentation of any religious content is required. In determining principal or primary effect, the legal decision hinges upon whether a genuine secular program of education is furthered. A corollary of that is that only materials such as carols or religious art with some secular significance should be presented. As for excessive entanglement between the school and religion, the question is one of kind and degree of involvement between the two.

As I am sure you all know, the first amendment to the U. S. Constitution prohibits the establishment of religion by the government (and government includes schools as governmental entities), and further prohibits government interference with the free exercise of religion. Neither the Establishment nor Free

Exercise clauses require total or absolute separation of church and state. Rather, their purpose is "to prevent as far as possible, the intrusion of either (the church or the state) into the precincts of the other." The Supreme Court has interpreted the Constitution as "mandating an accommodation," not merely tolerance of all religions, and forbidding hostility by any government institutions.

In the school context, the Federal courts have acknowledged the inevitable conflict between the curriculum and the vast array of religious sensibilities of individuals. However, this conflict alone in the absence of any Establishment Clause violation, usually does not rise to the level of an infringement of the Free Exercise Clause./ To avoid Free Exercise violations, the option of not participating in holiday practice or programs which are contrary to one's religious beliefs should, of course, be afforded. So much for the legal background, as our attorneys have defined it.

III

THE INTERPRETATION OF THE LAW AS APPLIED TO LOCAL SCHOOL DISTRICT PRACTICE

Many districts, perhaps most, separate policies from administrative regulations. The policies usually are considered the province of the Board of Education and tend to be general and hortatory rather than specific and regulatory. Board policies are translated into regulation by the administration and govern the way in which the general Board policies are expected to apply to the conduct of the school in one arena or another. Consequently, the Manhasset Board policy adopted at that time on the recognition of religious beliefs and customs tends to be fairly general - affirming the basis of the concept of the separation of church and state and the centrality of home and place of worship as the locus for religious observations, and the like. The policy goes on to indicate that knowledge about religious beliefs and customs is not only proper, but even important for students to understand as responsible citizens, while affirming the distinction between information about and instilling belief in a particular religion or religions, and concluding with a final admonition to encourage recognition and respect rather than instilling devotion and allegiance.

The corresponding regulation interprets this policy to mean that, in helping to make education a positive experience for all its students, the school district should make use of the opportunity afforded by major holidays to foster understanding and mutual respect with regard to race, culture, economic background and religious beliefs. No religious belief or non-belief should be promoted or disparaged. Tolerance and appreciation of other beliefs and religious views should be encouraged as well as an

understanding of the diverse holiday activities in which all children should be able to participate comfortably or, conversely, such activities should be banned if they make any students feel uncomfortable, alienated, or demeaned.

The regulation goes on to say that while the December Christmas/Chanukah holiday season tends to be the one about which most of the debate rages - because of the simple fact that it is most often celebrated in the schools - the same principle applies to all the religious seasons of the year. An admonition follows that a joyous and festive spirit should pervade this particular season regardless of the religious composition of the student body.

The Manhasset Task Force and Board concentrated on music and artistic decorations and displays. At the elementary level, for example, vocal music, while reflecting the joyous and festive music of the season, must contain lyrics that assert no religious beliefs or allegiance or seek to instill such allegiance. The instrumental music selections, however, may include sacred music and traditional music because, presumably, the message is in the lyrics, the absence of which renders the religiosity innocuous.

At the secondary level, however, both vocal and instrumental selections may include the entire repertoire of sacred and traditional religious music as well as seasonal pieces. Its rationale is based upon the fact that, in the judgment of the Task Force, elementary youngsters are sufficiently naive and impressionable as to consider religious a music devotional mandate to believe while older children in the junior and senior high school presumably have the maturity to suspend their belief or disbelief, and view the lyrics as a cultural experience rather than a religious endorsement.

In art, festive decorations without specific religious significance should be encouraged both in the classrooms and in the common areas of the school. However, creative work spontaneously produced in class by individual students but not assigned, is perfectly acceptable. It may be displayed without regard to its religious content.

The display of Christmas trees was another matter. It provoked a prolonged debate over the philosophical, logistical and safety problems involved. For reasons of safety (to wit, they're a fire hazard), and curriculum (decorating them takes an inordinate amount of time, extending sometimes right from Thanksgiving through to Christmas), it was decided that they should be displayed only in the common areas of the school and not in individual classrooms. Care must be exercised to display symbols associated with the diverse secular rather than religious customs and traditions of the season. In other words, menorahs, creches and the like are to be avoided, along with the Star of David and the Star of Bethlehem.

The Task Force saw no distinction between musical programs presented outside the school from those presented inside the school. In other words, a student concert taking place at the Long Island Railroad station and the and the Pan Am building in New York City should abide by the same principles as one conducted in the Shelter Rock School Auditorium. Both vocal and instrumental selections, elementary and secondary, should have intrinsic musical value and reflect the diverse cultural, ethnic and religious constituencies celebrating the holiday season.

The regulation concludes with a final admonition that the administration may establish rules to ensure that both activities and decorations are in good taste, are not disruptive, foster joy and good will, are sensitive to a diversity of religious and cultural backgrounds, and make a substantive effort to select activities that actually reflect that diversity and enable all students to participate and enjoy them. The underlying concern here is that no child should feel embarrassed, intimidated or cajoled into participating for religious reasons. All should feel welcome, comfortable and joyous. Common expressions of seasonal good will should be made, but the absence of them should not be construed in any way as pejorative. However, a student who seeks, on his own, without encouragement, to express himself in some religious fashion (e.g., by painting a menorah), should not be discouraged from doing so, and his efforts should be exhibited or not exhibited on the same basis as all other objets d'art.

IV

HOW WELL DID THIS WORK OUT IN PRACTICE

The Task Force that made the recommendations which, with a few changes, became Board policy was, as I said earlier, a top-level, representative, and highly select group of local residents with three lawyers among them - one of whom, the chairman, was at that time President of the New York State Bar Association, with impressive credentials. The fact that he was a liberal Catholic was, in my opinion, important because the majority Catholic view, if unhappy with the Task Force's report, could not subsequently claim that the Chairman represented a minority religious faction. His expert handling of the Task Force was so adroit in fact that, despite enormous differences at the outset, all members but one concurred in the guidelines which were, by anyone's standards, a compromise to "keep peace in our town."

Hence my quotation concerning Queen Elizabeth's religious settlement which was political, imperfect and religiously non-inflammatory - but supremely sensible. No one on the Task Force had the slightest illusion that they were writing a manifesto to end all manifestoes. It was a political solution strongly influenced by Supreme Court rulings but which provided specific elements that, despite differences, everyone could buy

into. In other words, it was designed deliberately to be a win-win situation. The Christians got [illegible]ive and joyous music, which steered clear of being doctrinal, creedal, or devotional. The Jews and non-Christians received assurance that their religious sensitivities would not be trampled underfoot and that Christian beliefs would not be imposed upon their children at a tender and receptive age. Considerable flexibility was left to the educators as to how much or how little they would decorate the school and their classrooms, but the ban on religiosity tended to curtail the excessive amount of classroom time devoted to Christmas symbols and decorations, thereby saving valuable teaching time for basic skills - a plus for the educators.

Significantly, the agreement forged by our chairman ultimately produced, as I said before, a final consensus from all but one of its members, a lawyer, who wrote a minority report decrying the majority abdication to secularism. This chap felt that the Florey v. Sioux Falls School District case in 1971 held that the particular rules and policies of the district of Sioux Falls on religious observances (rather more overtly religious than any in Manhasset) were violative of the First Amendment to the Constitution. He was speaking for a sizeable number of Christians who, nevertheless, finally accepted the majority opinion, which was designed to be tempered, reasonable, and conciliatory.

Background of the Manhasset Situation

You may wonder why this strong and vocal group of supporters of religion in the schools came to feel that way. Many of them were parents who themselves had attended Manhasset Schools in the '50's and '60's when the community composition and the local precedents were entirely different.

In the late '50's for example, the Village of Munsey Park was entirely Christian. Plandome Road School, which ultimately became the Shelter Rock School, was more religiously diverse in its composition, but nevertheless, largely Christian. [illegible] that time, in 1958, my first year in Manhasset High School as an English teacher, I remember that the Christmas celebration at Munsey Park School was probably more "religious" in nature than that boasted of by many of the local churches. First of all, it was an evening service; and the students marched solemnly up the aisles in white robes to the stage of the auditorium, where they grouped themselves around a student tableau of the manger scene, each bearing a candle in his hand. The manger scene was a typical Sunday School-type nativity pageant, followed by carol singing. Many of the parents of the youngsters presently in school were among those students at that time and they remembered this pageantry with fondness and nostalgia. Plandome Road School had its own, somewhat more secular program, without choir robes and candles, but with choral singing and religious recitations from the Bible.

As the turbulent "60's ended and a return to a more conservative social world ensued during the '70's, the Christmas holiday celebrations became more and more secular within the schools. The title "Christmas Concert" became a "Holiday Concert," and there was an absence of any kind of religious observance. With the exception of a few classroom teachers who persisted in celebrating "Christmas Around the World," frequently with the help of students from those parts of the world, most teachers did relatively little to celebrate the season. Christmas trees with non-religious ornaments were placed in the school offices, and winter-type decorations festooned the halls. Even traditional salutations such as Merry Christmas and Happy Chanukah were omitted as a general thing in greetings between people - adults or youngsters - though no regulations existed to that effect.

A new superintendent was hired from out of state. He was anxious to achieve uniformity in approach between the schools rather than downgrade religiosity per se, but it had the same effect, since the extant regulations were largely secular in their orientation and emphasis. He ordered the two elementary principals, where the celebration of Christmas was an issue, to observe the seasonal, secular guidelines contained in the regulations of that time. The Christmas concerts emphasized seasonal music but were devoid of Christmas carols or Chanukah songs and the art decorations were nondescriptly seasonal in nature, such as snowflakes, icicles, toy soldiers and the like. The music also tended to be not only non-religious, but, unfortunately, like "Frosty the Snowman" and "Rudolph the Red-Nosed Reindeer," were also execrable in musical composition.

At that point, December 1984, parental discontent with the winter concerts, especially at Shelter Rock, had reached an all-time high. The protest that I described at the outset of my remarks, took place and lasted about two months. The atmosphere was most unpleasant, with anti-Christian and anti-semitic remarks launched by both sides to such a point that nasty telephone threats and a certain amount of malicious mischief took place on people's property.

Fortunately, however, the appointment of the Task Force and the 3-month timetable with its April 30th deadline brought us into the spring months and served to accomplish two things: 1) The sheer length of time of the study tended to place the issue itself increasingly on the back burner of public sentiment, and 2) the warm spring weather and promise of summer tended to make Christmas observances seem somewhat remote.

As soon as the Task Force's report was approved, with minor changes by the Board, I immediately disseminated it to the entire staff, the SCA (the parent leadership), and the press. I held briefings with the staff and administrators through June of 1985 and appointed a Religious Observances Committee, headed by the Director of Fine and Performing Arts, to determine what the

Concert and Visual Decoration Committee would feature the following season. The first year they met in the summertime, working out a complete plan of action, and by September they had mapped out a program for each elementary school. Early in September the Director met with the music teachers and the students to prepare them in time to perform the music adequately. In more recent years the Director has waited till the all took with the staff and the students to prepare for the holiday concerts.

Another element in the orchestration of the aftermath of this confrontation was the briefing of the ministerium, which is composed of all the local clergy and rabbi. By mid-November (just before Thanksgiving) I knew exactly what the program would contain. I had already requested that the program itself and the implementation of that program be monitored by the Director of Fine and Performing Arts, the two elementary principals (since the secondary holiday concert program was not really an issue), and the music and art people themselves, along with a special staff committee in each school appointed to police activities within that school. During the holiday concerts in December the Director of Fine Arts, the Assistant Superintendent for Instruction, and I made the rounds of each of the schools to listen to the holiday concerts,to observe the decorations and to keep our ears to the ground with parents, students and neighbors.

During the last four years, while there has been some slight inconsistency in that one year a concert might err more on the side of religiosity and next year more on the side of blandness, the general impression was that not only the joyous and festive quality of the season was reflected in the music, but that the quality of the selection of music had improved and the performances themselves were livelier and more spirited. Attention was placed upon making certain that although we did not seek to establish any hard and fast ratio of Christmas to Chanukah songs, some Christmas carols (not of a devotional nature) and a few Chanukah songs were included.

In 1985-86, the first year after, a group of parents in one of the schools demanded that we sing traditional Christmas carols to which we acquiesced. After the children's concert, some parents remained for about a half an hour to sing traditional Christmas carols. There were, however, no unpleasant incidents and everyone left feeling fairly content - the staff, because the children's musical program had gone well, and the parents because their demand for Christmas carols and traditional Christmas music had been honored. However, subsequently, no similar request has been submitted, and the parents have felt comfortable with only the student musical concert.

I continue to meet every fall with the ministerium in order to brief them on the policy and the implementation of it and we have had no incident of note subsequently. However, the peace with

this kind of issue is always fragile and impermanent and could be broken at any time.

WHAT LESSONS CAN WE LEARN FROM THIS EXPERIENCE?

I really cannot speak for other communities, but I've drawn a few conclusions that appear to apply reasonably well for Manhasset and may apply to other districts as well.

1. This is very important. The Board and the Superintendent need to develop a policy that abides by the Supreme Court rulings but is sensitive to the particular religious configurations within the community and their spiritual and psychic needs. Had we chosen to follow the Supreme Court rulings slavishly, we would have had many hostility by the Christians and bitter interreligious confrontations that would have left, I fear, permanent scars. Our policy, like Elizabeth the First's, was one of religious compromise, a doctrine of accommodation - imperfect, inconsistent, philosophically flawed - but absolutely sensible . It serves not only as a reminder to the staff but a yardstick against which the community can legitimately compare each year's observance. If the policy is followed, some residents may not be happy but they can't cry "foul."

2. The Board and Superintendent should make sure that that policy is written and/or endorsed by leading factions of all major contending religions through a top-level task force, study group, call it what you will.

3. It is absolutely essential, as I see it, to challenge the staff, professional and support personnel alike, to be responsible, sensitive to the needs of others, and consistent in the application of the policy and its guidelines. Most important, everyone needs to be reminded that no child should be made to feel different, intimidated or uncomfortable by any class or school activity. No child of a particular religion, majority or minority, should be singled out to explain his or her religious practices. If the teacher wishes to talk about holiday observances around the world, s/he should do it. In a school system it is essential that the psychic needs and private beliefs of each child are his or her own business - no one else's.

   A corollary of this is that unsolicited personal expressions of any short should be tolerated with complete freedom and acceptance. I'm reminded of a belief held by many members of the Ethical Culture Society, to wit, that man's relationship to God is his

own business; his relationship to his fellow-man, on the other hand, is everyone's business.

4. You have to remember to orient new staff and keep re-orienting the old ones because they tend to forget and lapse back into old and sometimes insensitive ways. In that regard, it is useful to have an ongoing steering committee, composed of staff members, parents from different religious factions, and administrators who meet at least annually to monitor the musical, artistic and dramatic programs in order to be reasonably confident that both the spirit and the letter of the regulations are being carried out.

5. It is very useful to convene a meeting of the ministerium of the clergy, if there is one, and to form one if there isn't in order to brief them on both the history and the school policy. The intent here is to obtain their understanding and, hopefully, support. Even if they do not all support it, however, it is still advisable for them to know about it and understand it, and can let you know, hopefully in advance, if they hear signs of unhappiness from their parishioners.

6. The Parent-Teacher Association also needs to be briefed regularly, preferably no later than November, on the policy and the application of that policy so that they too get behind it and can run interference, if necessary, in what we like to refer to as the Grand Union Conference Center in town.

7. Principals need to monitor compliance with great care and sensitivity and inform the Superintendent immediately if they sense or anticipate a problem.

8. The Superintendent and principals should make it clear that they welcome comments and criticism, preferably before a problem arises rather than after. I have also found that there is absolutely no substitute for good will. If community residents, whatever their religious persuasion, feel that you and your staff are essentially people of good will, they will forgive you a lot, even lapses in the application of a policy.

Will the policies that I have outlined work everywhere? Absolutely not. They have to be shaped to meet the special needs of each community, and the ingredients and machinery are almost never the same from district to district. However, the basic principles espoused above have been applied elsewhere with reasonable success.

What are some of the new issues on the horizon that bear on this problem?

An obvious problem that many districts face today is the rapid absorption of residents from all over the world, from different cultures, different religions and different ethnic groups. The impact upon the school calendar and program is clear. If a given community were to experience an influx of as few as ten different cultures, each with their own high holy days, and you felt obliged as a school district to honor all of them with school holidays, you would never be able to run a school because every other day would be a holiday. Consequently, all districts and, perhaps, even the State, need to hold the line on the number of holidays in a given year while maintaining flexibility as to the specific ones represented by the dominant cultures and religions within that community. This is a very real problem today. Even Manhasset, with its small population, now has, as I said before, rapidly expanding foreign-born subgroups, not to mention the black culture that has been there for 30 years but is slowly declining.

Another practical implication of this is that no longer can one assume a common cultural heritage. Christmas is simply not understood by many Asian cultures and consequently the rather extensive treatment in song and symbol of that season in the typical elementary school is at least questionable. Some determination, hopefully based upon a consensus from the staff and parents about the importance of holidays that are less will known in a cultural or commercial sense such as Eastern Orthodox Easter, Ramadan, Boys Day and Girls Day in Japan has to be worked out. Usually, and perhaps sensibly, schools recognize special holy days in the calendars of certain cultures and religions not by declaring a holiday but by recognizing them in some way. Such recognition typically falls into three categories of observance in most suburban schools:

1. Students who are members of a religion whose holy days are not observed as holidays on the school calendar are generally excused from school, and they are allowed to postpone homework and take tests the day after they return to school.

2. If a sizeable number of students are expected to be absent, homework, tests and other whole-class activities are postponed or rescheduled.

3. Some recognition in the form of a bulletin, public announcement or assembly may call upon the student body to recognize and respect a religious day that is observed by some of its members.

There is, of course, no effort to instill belief in a particular religious doctrine or belief on these occasions. There is often, however, an attempt to shed some understanding over why a given day is considered holy by a particular religious group.

My final comments bear upon "Religion as a Legitimate Subject in the Curriculum."

Typically, 1) the increase in cultural subgroups, 2) the NYS Regents Action Plan, 3) the recent establishment of higher standards for high school graduation, and 4) the growing emphasis upon greater rigor and some time-on-task in the basic subject areas have virtually crowded out of the curriculum the abundance of such electives as comparative religion, history of religions, and religion through literature that sometimes appeared at the high school level. Because ethical and moral education has been the whipping boy for dozens of fundamentalist sects over the years, public schools have understandably shied away from any kind of commitment or expression of interest in anything that smacks of religion or ethics. Even values education is suspect in many, perhaps most, parts of our country. I'm sure that the irony of this does not escape you because it is perfectly clear that implicitly, if not explicitly, all schools, regardless of their professed ethical neutrality, practice, preach and actually enforce certain kinds of morality - loyalty, hard work, honesty, etc. Nevertheless, anything that overtly recognizes religious orientation of any kind is shunned like the plague.

One final note: Despite what I've just said about the hypersensitivity felt by most public school educators when faced with religious or ethical issues, there is a growing conviction among many suburban school officials (I can't really comment on urban or rural schools) that in our preoccupation with raising academic standards here and throughout the country, we are in danger of producing highly skilled technicians devoid of moral values and ethical standards. To combat this we, for example, are developing curricular and extra-curricular requirements that confront students with ethical issues and actions.

Hopefully, if that takes root and becomes a permanent fixture in the curriculum, we may hope that one day the religious traumas that rock our society will occur less frequently and less violently. To accelerate this process at Manhasset we have also initiated a series of events celebrating the achievements and special cultures of our various minority populations by inviting the entire community to join us in recognizing each of these cultures, starting two Sundays ago with an Asian New Year Festival that drew 350 people, half of whom were non-Asians from the community.

As Edwin Markham noted: "He drew a circle that shut me out; Heretic, rebel, a thing to flout, Love and I had the wit to win: Love drew a circle that took him in."

Thank you.